

Sanitized Copy Approved for Release 2010/01/19 : CIA-RDP87M00539R002003090017-7

DOCUMENTS CROSS-REFERENCED

ATTACHED:

EL 85-2483
OIS 85-352
DDA 85-2229/1

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OIS 85-352

The Director of Central Intelligence

Washington, D.C. 20505

09 JUL 1985

Mr. Steven Garfinkel
Director, Information Security
Oversight Office (Z)
General Services Administration
18th & F Streets, N.W.
Washington, D.C. 20405

Dear Mr. Garfinkel:

I appreciate the concerns raised in your letter of 24 June 1985 dealing with the national security classification of Director of Central Intelligence Directives (DCIDs). The DCIDs have been under review for the past several years and a number of changes have been made including the classification of DCID 1/7, 1/17, and 1/19.

These three directives were previously published as unclassified and given controlled distribution throughout the Intelligence Community. In the process of reviewing them, however, it was determined that they warranted national security classification. This determination was a classification decision, not a reclassification. Moreover, although the documents were widely available within the Intelligence Community, the information was not in the public domain and was reasonably retrievable through the distribution listing. In addition, all previous copies should have been destroyed by the recipient at the time the new classified directives were issued.

DCID 1/7 was classified Confidential in the aggregate because it establishes policies, controls, and procedures for the dissemination and use of intelligence information throughout the Intelligence Community. The unauthorized disclosure of the information in DCID 1/7 reasonably could be expected to cause damage to the national security. DCID 1/17 and 1/19 were classified for the reasons noted in your letter.

The statement, "Selected paragraphs may be excerpted for use at the unclassified (Official Use Only) level by Senior Officials of the Intelligence Community, their designees, or security officers of Community organizations when considered appropriate", was incorporated into DCID 1/7 and 1/19 because of difficulties that some users were experiencing in working with the classified directives. It was our intention that this

L-109

statement would give users more latitude in using selected portions of the directives in implementing instructions. We agree, however, that this statement is not appropriate in the context of the current DCID series, and we are removing it from reprints of these directives.

Both DCID 1/7 and 1/19 now are in the process of being rewritten and are expected to be issued some time next year at their present level of classification. DCID 1/19 is already in draft and DCID 1/7 is in the initial stages of revision. When reissued, DCID 1/7 is expected to contain substantial changes that will also require protection at the Confidential level.

I believe your reference to "an order to classify all DCIDs at the Secret level" pertains to a memorandum signed by me on 1 September 1983 dealing with the control and handling of the DCI Directive Series. The purpose of this memorandum was to ensure that the collection of directives was protected at the highest level of its constituent parts. Not all DCIDs are classified Secret; indeed, many are Confidential and several remain at the unclassified level. A waiver of the portion marking requirement for all DCIDs was approved by me on 17 September 1982 and a copy forwarded to your office on 4 October 1982.

I hope that we have been able to resolve your concerns on this matter. Please let me know if any further clarification is required.

Sincerely,

/s/ William J. Casey

William J. Casey

DA/OIS/IRMD [] (28 Jun 85)

OIS 85-352

STAT

Distribution:

Original - Addressee

- 1 - DDCI
- 1 - Exec. Secretary/NFIB
- 1 - SECOM
- 2 - Exec Reg
- 2 - DDA
- 2 - OIS
- 1 - IRMD Chrono
- 2 - IMB

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TRANSMITTAL SLIP		DATE 28 June 1985
TO: Executive Registry		
ROOM NO. 7D18	BUILDING Headquarters	
REMARKS: Your File Copy.		
FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED

(47)

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85-2229/1

ROUTING AND RECORD SHEET**SUBJECT:** (Optional)Response to D/ISOO's Letter Regarding Classification of
Director of Central Intelligence Directives (DCIDs)**FROM:**Harry E. Fitzwater
Deputy Director for Administration
7D18 Headquarters**EXTENSION****NO.**

01S 85-352

DATE

STAT

TO: (Officer designation, room number, and building)**DATE****RECEIVED****FORWARDED****OFFICER'S
INITIALS****COMMENTS** (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

EXDIR

2.

3.

DDCI

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DCI

6.

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For Signature.

DCI
EXEC
REG

L-109

FORM
1-79

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USE PREVIOUS
EDITIONS

85-2229/11

MEMORANDUM FOR: Director Central Intelligence

VIA: Deputy Director of Central Intelligence

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Response to the Director, Information
Security Oversight Office (D/ISOO) on
Classification of DCI Directives

REFERENCE: Letter to DCI fm D/ISOO, dtd 24 Jun 85,
Re Classification of DCI Directives

1. Attached for your signature is a letter to Mr. Steven Garfinkel, Director, Information Security Oversight Office, concerning questions he has raised on the classification of Director of Central Intelligence Directives 1/7, 1/17, and 1/19.

2. The letter clarifies several points that Mr. Garfinkel perceived to be deficiencies in the way these DCIDs are classified and marked. It also agrees to carry out one of the marking changes he suggested. The letter has been coordinated with the DCI Security Committee and the Executive Secretary, NFIB.

3. It is recommended that you sign the attached letter to Mr. Garfinkel.

/s/ Harry

Harry E. Fitzwater

Attachment

EXECUTIVE SECRETARIAT**ROUTING SLIP**

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS		X		
5	DDI				
6	DDA	X			
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC				
11	IG				
12	Compt				
13	D/OLL				
14	D/PAO				
15	VC/NIC				
16	D/OIS/DA		X		
17	D/Scty		X		
18	EXEC SEC/NFIB		X		
19	ER				
20					
21					
22					
SUSPENSE		1 July 1985 <small>Date</small>			

Remarks To # 6: Please have response prepared for DCI signature; coordinate with all concerned.

STAT

Executive Secretary

21 Jun 85

Date

3637 (10-81)

General
Services
AdministrationInformation Security
Oversight
Office

Washington, DC 20405

Executive Registry

85- 2483

June 13, 1985

Honorable William J. Casey
Director
Central Intelligence Agency
Washington, DC 20250

Dear Mr. Casey:

It has come to the attention of the Information Security Oversight Office (ISOO) that several Director of Central Intelligence Directives (DCIDs) that were formerly unclassified and widely available may have been improperly classified. Harold Mason, a member of my staff, recently reviewed the DCIDs in question (1/7, 1/17 and 1/19) and initially noted that they were not portion marked as required under Executive Order 12356. An agency head may grant a waiver from portion marking, but the Director of ISOO must be notified of this decision. Mr. Mason was informed that a waiver had been granted and DCIDs need not be portion marked. However, prior to its inquiry ISOO had not been advised of this decision.

Mr. Mason was also informed that the formerly unclassified DCIDs were classified because of an order to classify all DCIDs at the Secret level. Section 1.6(c) of the Executive Order and Section 2001.6 of ISOO Implementing Directive No. 1 establish requirements and criteria that must be met before information that has been disclosed may be reclassified or classified in the first instance. While many of these requirements were not met, Mr. Mason is satisfied that revised DCIDs 1/17 and 1/19 meet the criteria for classification under the Order because of changes from the previously unclassified versions. However, DCID 1/7 does not, in ISOO's view, meet the criteria for classification following its prior disclosure in an unclassified format.

I am further concerned because the reclassified DCIDs contain the statement, "Any senior official in the intelligence community can release portions of the document." This statement raises the strong possibility of inconsistent treatment of like information, a situation that undermines the credibility of the classification system.

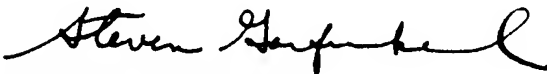
DCI
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REG

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Mr. Mason has been informed by CIA officials that they are prepared to resolve these issues satisfactorily. I would very much appreciate your assistance and a subsequent response on these matters.

Sincerely,

A handwritten signature in cursive script, reading "Steven Garfinkel".

STEVEN GARFINKEL
Director